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September 23, 2003

Mr. Jonas Minton
Deputy Director
Department of Water Resources
1416 Ninth St, Room 1115-9, PO Box 942836
Sacramento, CA 94236-0001

Dear Jonas,

I enjoyed spending a few minutes with you at the California Water Plan Advisory Committee meeting last Friday, September 19, 2003. Your perspective on how the Plan will most likely proceed in the short-term is understandable. I certainly agree with you that the surface storage projects under study by the Bay-Delta Authority are probably the state's most likely candidates for implementation. Of course, you understand the concerns expressed by the agricultural members of the Advisory Committee that these projects are not designed to add appreciably to the yield of the state's overall water supplies.

Your concern that the current budget situation will likely curtail consideration of potential storage projects beyond those under study by the Bay-Delta Authority is accurate in the short-term. However, since the Plan is to look out to the year 2030, the Plan should not assume that funds would not be available to evaluate new storage sites over the long-term.

In fact, your own redrafted summary ("An Investment Guide For California's Water Future") specifies that the state will have to invest \$1 billion annually out to the year 2030 in order to achieve a balanced portfolio of strategies. Assuming this level of state investment, at least some of the funding can be used to evaluate new surface storage sites or programs. There may not be any "choice" storage sites left in the state, but providing for the state's water needs with 17 million more people may require that less desirable sites (by today's standards) be evaluated or reevaluated. The Water Plan should affirm that in the future the State will evaluate and study additional surface storage, beyond those projects contemplated by the Bay-Delta Authority, for the purpose of increasing developed yield to the extent necessary to meet increasing water supply needs.

Another item of concern that came up at the Advisory Committee meeting involves the current status of the Water Transfers narrative. As you know, much of the discussion involving water transfers has been about the role of the public trust in the approval process for transfers. While the narrative is greatly improved in its consideration of public trust, one of the new recommendations would extend application of

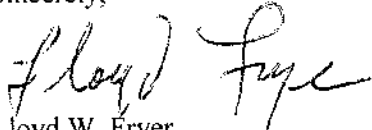
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public trust values inappropriately. This recommendation is, "State and federal agencies should improve policy for efficient, effective, and equitable use of local, state and federal conveyance facilities."

Public trust values generally relate to instream flows and uses. I commented at the Advisory meeting that it would be very difficult and unwise for the state to intervene in local conveyance facilities. However, my biggest concern is that the new recommendation mentioned above would expand public trust consideration to water that was already diverted out of the stream and into constructed conveyance facilities. This recommendation needs to be rewritten so that it does not expand public trust values to conveyance facilities.

Thank you for consideration of the above. If you would like to discuss this further, feel free to call me at (661) 392-0494.

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd Fryer", written in a cursive style.

Lloyd W. Fryer
Senior Water Resources Planner

xc: Mr. Tom Clark (via e-mail)
Mr. Jim Beck (via e-mail)
Mr. Gary Bucher (via e-mail)
Mr. Mike Wade (via e-mail)